

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION

SAMUEL RODRIGUEZ REYNA,	§	
	§	
Plaintiff,	§	
VS.	§	CIVIL ACTION NO. C-07-00138
	§	
THOMAS GREENWELL, <i>et al</i> ,	§	
	§	
Defendant.	§	

**ORDER ADOPTING MEMORANDUM AND
RECOMMENDATION TO DISMISS ACTION**

On April 11, 2007, United States Magistrate Judge Brian L. Owsley signed a Memorandum and Recommendation recommending that plaintiff's civil rights action be dismissed pursuant to the Younger v. Harris, 401 U.S. 37 (1971) abstention doctrine, and that his claims be dismissed with prejudice as frivolous and for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B) and 1915A(b)(1). The Memorandum and Recommendation further recommended that, should the Court adopt the recommendation, that dismissal be one as described by 28 U.S.C. § 1915(g), and that a copy of the recommendation and the order of dismissal be sent to: **District Clerk for the Eastern District of Texas, Tyler Division, 211 West Ferguson, Tyler, Texas 75702, Attention: Betty Parker**. On April 27, 2007, plaintiff filed Objections to the Magistrate's Recommendations.

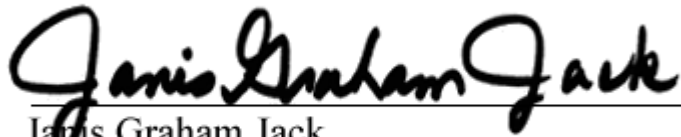
Having reviewed the findings of fact and conclusions of law therein, as well as the pleadings on file and plaintiff's objections, and having made a *de novo* disposition of those portions of the Magistrate Judge's recommended disposition to which objections were raised, *see Koetting v. Thompson* , 995 F.2d 37 (5th Cir. 1993), 28 U.S.C. § 636(b)(1)(C);

Fed.R.Civ.P.72(b), the Court hereby adopts as its own the findings and conclusions of the Magistrate Judge.

Accordingly, it is ORDERED that plaintiff's civil rights action is dismissed pursuant to the Younger abstention doctrine, and his claims are dismissed with prejudice as frivolous and for failure to state a claim pursuant to 28 U.S.C. § 1915(e)(2)(B) and 1915A(b)(1). This dismissal is one as described by 28 U.S.C. § 1915(g) and a copy of the recommendation and this order of dismissal shall be sent to: **District Clerk for the Eastern District of Texas, Tyler Division, 211 West Ferguson, Tyler, Texas 75702, Attention: Betty Parker.**

The clerk shall enter this order and provide a copy to all parties.

SIGNED this 2nd day of May, 2007.


Janis Graham Jack
United States District Judge